

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

BENITO JULIAN LUNA,

Petitioner,

No. 2:04-cv-0627 KJM GGH P

vs.

SCOTT KERNAN,

Respondent.

ORDER

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Petitioner is a state prisoner proceeding with appointed counsel with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. A hearing was held before the undersigned on April 12, 2012, and a CD was provided containing scanned images of prior habeas counsel's entire file for an In Camera review. The CD includes privileged correspondence between petitioner and prior habeas counsel regarding the substance of the habeas claims that is not relevant to the motion to dismiss that is currently pending. That CD shall be filed under seal in the court file and neither respondent nor any other party shall be provided access to the CD unless express permission is provided by the court.

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1 Accordingly, IT IS HEREBY ORDERED that the CD shall be filed under seal in  
2 the court file and neither respondent nor any other party shall be provided access to the CD  
3 unless express permission is provided by the court.

4 DATED: May 25, 2012

5 /s/ Gregory G. Hollows  
6 UNITED STATES MAGISTRATE JUDGE  
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